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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

NATHAN BAPTISTA,

Defendants.

CASE NO. 1:24-CR-000143-KES-BAM

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
AND ORDER

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through her counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference on December 11, 2024.
2. By this stipulation, defendant now moves to continue the status conference and to exclude time between December 11, 2024, and March 12, 2025, pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government provided discovery to the defense on June 17, 2024. The discovery consisted of law enforcement reports, bodycam footage, photographs and video recordings. As investigation was ongoing, the Government provided additional discovery on July

3, 2024, July 15, 2024, July 29, 2024, September 4, 2024, and October 23, 2024. The most recent discovery consisted of raw data and technical notes from the DNA testing performed in this case. Defense counsel is reviewing the raw data and technical notes and requires additional time to assess how the DNA results impact the case.

b) The parties are continuing to discuss potential resolution of this case via a plea agreement. However, the parties have not finalized terms and do not yet know if resolution is possible. The Government made a formal plea offer to the defense on September 23, 2024. Defense counsel is discussing the plea offer with his client while also continuing to conduct his own investigation.

c) The defendant asks the Court to exclude time between December 11, 2024, and March 12, 2025, to account for time to discuss the plea with the Government and defendant, to conduct his own investigation, and determine if this case needs to be set for trial, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendants in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of December 11, 2024 to March 12, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv), because it results from a continuance granted by the Court at defendants' request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

1 Dated: November 21, 2024

PHILLIP A. TALBERT  
United States Attorney

2 /s/ ARIN C. HEINZ  
3 ARIN C. HEINZ  
Assistant United States Attorney

4  
5 Dated: November 21, 2024

/s/ GRIFFIN ESTES  
GRIFFIN ESTES  
Counsel for Defendant  
NATHAN BAPTISTA

8 **ORDER**

9 IT IS SO ORDERED that the status conference is continued from December 11, 2024, to **March**  
10 **12, 2025, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.** Time is  
11 excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

12  
13 IT IS SO ORDERED.

14  
15 Dated: November 21, 2024

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE